GOVERNMENT OF INDIA
INFORMATION AND BROADCASTING
LOK SABHA

UNSTARRED QUESTION NO:1335
ANSWERED ON:23.11.2016
Case of Ban a Telecast
Rai Shri Nityanand;Senguttuvan Shri Balasubramaniam

Will the Minister of INFORMATION AND BROADCASTING be pleased to state:

(a) whether the Government has directed the national television NDTV 24x7 news channel to go off the air for a day for its coverage disclosing strategic sensitive information on the location of ammunition stores, the residential quarters, school and the hideout of the terrorists etc. during the offensive of the Indian forces against the terrorists who attacked the Pathankot air force base some time back;
(b) if so, the details of the order of the Ministry banning the telecast of NDTV programmes for a day;
(c) whether in the opinion of the Ministry, the contents of the coverage by the NDTV needlessly divulged sensitive information compromising the national security endangering the lives of security personnel as well as the civilians and the safety of security assets;
(d) whether the order imposing ban on the telecast of the programme of the NDTV for a day was taken by the inter-ministerial committee that reviewed the contents of the programme and if so, the details thereof; and
(e) whether due opportunity was given to the national NDTV channel to offer its explaination and if so, the details thereof?

Answer

MINISTER OF STATE IN THE MINISTRY OF INFORMATION & BROADCASTING [COL RAJYAVARDHAN RATHORE (Retd.)]

(a) &(b): As per existing regulatory framework, all programmes and advertisements telecast on private satellite TV channels and transmitted/re-transmitted through the Cable TV network are required to adhere to the Programme Code and Advertising Code prescribed under the Cable Television Networks (Regulation) Act, 1995 and Cable Television Network Rules, 1994 framed thereunder. The Act does not provide for pre-censorship of any programme or advertisement telecast on such TV channels. These Codes contain a whole range of parameters to regulate content on such TV channels. Rule 6(1)(p) of the Programme Code provides that: "periodic briefing by an officer designated by the
No programme should be carried in the cable service which contains live coverage of any anti-terrorist operation by security forces, wherein media coverage shall be restricted to
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appropriate Government, till such operation concludes. Expanation- for the purposes of this clause, it is clarified that "anti-terrorist operation" means such operation undertaken to bring terrorists to justice, which includes all engagements involving justifiable use of force between security forces and terrorists"

An Inter-Ministerial Committee (IMC) has been set up in the Ministry to look into the specific complaints or suo-motu take cognizance against the violation of Programme and Advertising Codes. IMC has representatives from the Ministry of Home Affairs, Defence, External Affairs, Law, Women and Child Development, Health and Family Welfare, Consumer Affairs and a representative from the industry in Advertising Standards Council of India (ASCI). Appropriate action is taken as per Cable Television Networks (Regulation) Act, 1995, if any violation of the said codes is established.

It came to notice of this Ministry that NDTV INDIA channel while reporting on Pathankot terrorist attack on 4.1.2016 at 12:25:46 - 12:31:25 hrs disclosed sensitive information well beyond the briefing given by designated officers while the anti-terrorist operations were still underway, which was prima facie found in violation of Rule 6(1)(p) of the Programme Code. Therefore, a Show Cause Notice (SCN) dated 29.1.2016 was issued to NDTV INDIA. In its reply, NDTV India channel, vide letter dated 5.2.2016, submitted, inter-alia, that their coverage of the Pathankot terrorist attack was entirely balanced and responsible. The matter was placed before Inter-Ministerial Committee (IMC) for its consideration on 25.7.2016. The IMC concluded that while covering anti-terrorist operation during Pathankot terrorist attack, NDTV India channel had not shown restraint, responsibility and sensitivity and revealed strategically-sensitive details in violation of Rule 6(1)(p) of the Programme Code which could have adversely impacted the situation at that time. For the first offence, the channel can be prohibited for transmission for maximum 30 days as per uplinking/downlinking guidelines. However, IMC recommended to take NDTV India TV channel off-air for at least one day. In a previous instance, one News and Current Affairs channel 'Janmat' had been awarded prohibition of transmissions for 1 month (20.09.2007 to 20.10.2007). IMC recommendations were accepted by the competent authority and the Ministry issued an order dated 2.11.2016 to prohibit the transmission or re-transmission of NDTV India channel for one day on any platform throughout India with effect from 00:01 hrs on 9th November, 2016 till 00:01 hrs of 10th November, 2016 with the approval of competent authority. Copy of the order is available on Ministry's website i.e. www.mib.nic.in. NDTV channel submitted a representation dated 7.11.2016. Pending examination of the representation, an abeyance order was issued to NDTV India on 7.11.2016.

(c): It was observed that the information given by the TV channel, while the operation was still underway, was neither based on nor limited to the information given in the media briefing by the designated officers as required under Rule 6(1)(p) of the Programme Code. It was further noted with grave concern that this was a matter of national security; that the channel had revealed sensitive details like location of ammunition depot viz-a-viz the place where the terrorists were holed up, location of school and residential areas. As the operation was still going on, such crucial information could have been readily picked up by their handlers, which had the potential to cause massive harm not only to the national security, but also to lives of civilians and defence personnel.

(d) & (e): Already explained in reply to parts (a) and (b) above.
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